

RECEIVED
CENTRAL FAX CENTER

NOV 09 2006

SOFER & HAROUN, LLP
INTELLECTUAL PROPERTY

317 Madison Avenue, Suite 910
New York, NY 10017
Tel: (212) 697-2800 Fax: (212) 697-3004

Facsimile Coversheet

To: Mail Stop DD
Commissioner for Patents
Date: November 9, 2006

Fax: 571 273 8300
Page 6, including this cover sheet

From: Valentina Papraniku
Paralegal

Re: **INFORMATION DISCLOSURE STATEMENT**
U.S. Patent Application No.: 10/806,705
For: OPTICAL TRANSMISSION APPARATUS AND...
Our File No.: 655-022NC2

Confidentiality Statement

This transmission may contain information which is legally privileged or otherwise protected from disclosure. Its contents are confidential and intended for the addressee only, and must not be used, copied or disseminated by any person other than the addressee. The recipient is requested to notify the sender immediately of any error in transmission and to destroy any transmission not intended for the recipient.

RECEIVED
CENTRAL FAX CENTER

NOV 09 2006

PTO/SB/97 (09-04)


Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office

655 022nc2

on 11/9/06
Date
SignatureVALENTINA PAPRANIKU

Typed or printed name of person signing Certificate

—
Registration Number, if applicable212-697-2800

Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Information Disclosure Statement

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED
CENTRAL FAX CENTER

NOV 09 2006

PATENTDocket No. 655-022nc2IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Tsushima et al.
Serial No. : 10/806,705 Group Art Unit: 2633
Filed : March 22, 2004 Examiner: Dalzid Singh
For : OPTICAL TRANSMISSION APPARATUS AND OPTICAL SYSTEM

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed on Form PTO-1449, a copy of which is enclosed, may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items and to independently ascertain their teaching.

1. ☐ For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, an English language translation of that item or a portion thereof or a concise explanation of the relevance of that item is enclosed:

A:
B:

2. ☐ For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application.

3. ☐ Any copy of the items listed on the enclosed copy of Form PTO-1449 that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in the prior ☐ Continuation, ☐ Divisional or ☐ Continuation-In-Part application under 37 C.F.R. §1.60, U.S. Serial No. _____, filed _____.

4. ☐ No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:

☐ 37 C.F.R. §1.97(b)(1), within three months of the filing date of the above-identified application.

☐ 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491 in an international application.

☐ 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office action on the merits.

RECEIVED
CENTRAL FAX CENTER

NOV 09 2006

5. ☐ No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below.

6. ☒ A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a notice of allowance (where there has been no prior final action):

☐ A check in the amount of \$200.00 is enclosed in payment of the fee.

☒ Charge the fee of \$200.00 to Deposit Account No. 19-2825 . Order No. 655-022NC2.

7. ☐ A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a notice of allowance, whichever comes first, but before payment of the issue fee, and is accompanied by:

- a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below; and
- b. the attached petition requesting consideration of this Information Disclosure Statement; and
- c. the fee due under 37 C.F.R. §1.17(i)(1) which is paid as set forth in paragraph 10 below.

8. ☐ A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with:

- a. ☐ 37 C.F.R. §1.313(b)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition To Withdraw Application From Issue;
- b. ☐ 37 C.F.R. §1.313(b)(5), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition To Withdraw Application From Issue.
- c. The fee due under 37 C.F.R. §1.17(i)(1) is paid as set forth in paragraph 10 below.

9. ☐ I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

☐ I hereby certify that no item of information in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in §1.56© more than three months prior to the filing of this Information Disclosure Statement.

10. ☐ A check in the amount of \$130.00 is enclosed in payment of the fee due under 37 C.F.R. §1.17(i)(1).

☐ Charge the fee due under 37 C.F.R. §1.17(i)(1) to Deposit Account No. _____ Order No. _____
A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required for this

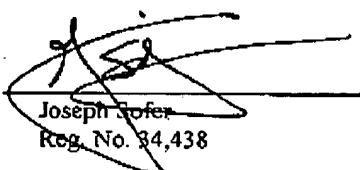
Information Disclosure Statement, or credit any overpayment to Deposit Account No. 19-2825. Order No. 655-022nc2.

Respectfully submitted,

SOFER & HAROUN, L.L.P.

Dated: November 9, 2006

By:


Joseph Sofor
Reg. No. 34,438

Mailing Address:

SOFER & HAROUN, LLP.
317 Madison Avenue, Suite 910
New York, NY 10017
Tel: (212) 697-2800
Fax: (212) 697-3004

Sheet 1 of 1

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE (Rev.2-3) PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)	ATTY. DOCKET NO. 655-022nc2	SERIAL NO. 10/806,705
	APPLICANT Tsushima et al.	
	FILING DATE March 22, 2004	GROUP 2633

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5 6 6 3 8 2 0	9/1997	Shiragaki	359	128	December 28, 1995
	5 4 5 7 5 5 6	10/1995	Shiragaki	259	117	April 18, 1994

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.